



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

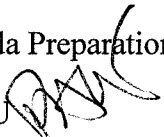
TELEPHONE
(213) 974-1861
FACSIMILE
(213) 229-9924
TDD
(213) 633-0901

JOHN F. KRATTLI
Acting County Counsel

March 21, 2012

TO: SACHI A. HAMAI
Executive Officer
Board of Supervisors

Attention: Agenda Preparation

FROM: PATRICK A. WU 
Senior Assistant County Counsel

RE: **Item for the Board of Supervisors' Agenda**
County Claims Board Recommendation
Teddy Lenior, Sr., et al. v. County of Los Angeles, et al.
United States District Court Case No. CV 09-02616

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisors' agenda.

PAW:cjs

Attachments

Board Agenda

MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled Teddy Lenior, Sr., et al. v. County of Los Angeles, et al., United States District Court Case No. CV 09-02616, in the amount of \$200,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit concerns allegations of false arrest and an illegal search by Sheriff's Deputies.

CASE SUMMARY

INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	Teddy Lenior, Sr., et al. v. Detective Arias, et al.
CASE NUMBER	CV09-02616
COURT	United States District Court
DATE FILED	Complaint April 15, 2009 Claim April 4, 2008
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ \$200,000
ATTORNEY FOR PLAINTIFF	Charles F. Saacke McNulty & Saacke
COUNTY COUNSEL ATTORNEY	Jennifer A.D. Lehman
NATURE OF CASE	<p>Plaintiffs Teddy Lenior, Sr., Rabihah Lenior, Teddy Lenior, Jr. and Steven Lenior allege that Sheriff's Deputies searched their home without probable cause and that Teddy Lenior Jr. was arrested without probable cause.</p> <p>The Deputies contend that probable cause existed for both the search and arrest.</p> <p>However, due to the risks and uncertainties of litigation, a full and final settlement of the case in the amount of \$200,000 is recommended.</p>

PAID ATTORNEY FEES, TO DATE	\$	167,622
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PAID COSTS, TO DATE	\$	29,445
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Case Name: Teddy Lenior, Sr., et al. v. County of Los Angeles, et al.



Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Friday, December 7, 2007; approximately 4:00 a.m.
Briefly provide a description of the incident/event:	<p><u>Teddy Lenior, Sr., et al. v. County of Los Angeles, et al.</u> Summary Corrective Action Plan No. 2011-024</p> <p>On Friday, December 7, 2007, at approximately 4:00 a.m., deputies assigned to the Los Angeles County Sheriff's Department's Operation Safe Streets (OSS) Bureau coordinated the execution of search and arrest warrants at 16 locations throughout Los Angeles County in furtherance of investigations of criminal activity by members and associates of several violent street gangs.</p> <p>During the operation, sheriff's deputies executed search and arrest warrants at the plaintiff's residence alleging a violation of California Penal Code section 245(a)(2), Assault with Deadly Weapon or Force Likely to Produce Great Bodily Injury. Investigators were looking for firearms and evidence of weapons violations, stolen property, and gang membership.</p> <p>Following the execution of the warrants, the plaintiff's son, Teddy Lenior, Jr., was arrested and taken into custody. No items with evidentiary value were recovered from the residence.</p> <p>The original crime victim was unable to positively identify Teddy Lenior, Jr. as the shooting suspect in this case. Consequently, representatives from the Los Angeles County District Attorney's Office declined to file criminal charges.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

The plaintiff filed a lawsuit against the County of Los Angeles alleging state and federal civil rights violations, false arrest and imprisonment, malicious prosecution, and intentional infliction of emotional distress. He also claimed that the affidavit in support of the arrest and search warrants failed to establish sufficient probable cause.

2. Briefly describe recommended corrective actions:
(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had relevant policies and procedures/protocols in effect at the time of this incident.

The Los Angeles County Sheriff's Department's training curriculum addresses the circumstances which occurred in this incident.

The Los Angeles County Sheriff's Department's administrative review revealed no employee misconduct. Consequently, no administrative action was taken, nor are any other corrective action measures recommended or contemplated.


3. State if the corrective actions are applicable to only your department or other County departments:
(If unsure, please contact the Chief Executive Office Risk Management Branch for assistance).

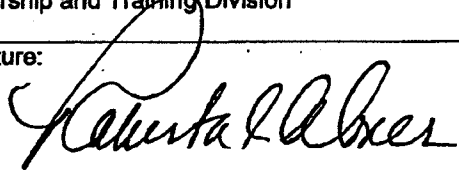
- ☐ Potentially has Countywide implications.
- ☐ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have Countywide or other department(s) implications.

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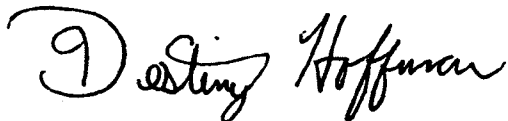
County of Los Angeles
Summary Corrective Action Plan

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Captain Risk Management Bureau	
Signature: 	Date: 1/9/12

Name: (Department Head)	
Roberta A. Abner, Chief Leadership and Training Division	
Signature: 	Date: 01-13-12

Chief Executive Office Risk Management Branch

Name: Destiny Hoffman	
Signature: 	Date: 2/2/2012

Risk Mgt. Inspector General/CAP-SCAP-RECAP/Summary Corrective Action Plan Form 2-01-10 (Final).docx